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I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON THE DATE INDICATED BELOW.

BY: Alexio Conti

Date: September 21, 2005

MAIL STOP AMENDMENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Patent Application Of:	:		
Hisaaki Gyoten et al.	:		
Conf. No.:	5187	:	Group Art Unit: 1745
Appln. No.:	10/069,900	:	Examiner: Raymond Alejandro
Filing Date:	February 26, 2002	:	Attorney Docket No.: 10059-410US (P23466-01)
Title:	POLYMER ELECTROLYTIC FUEL CELL		

**REQUEST FOR RECONSIDERATION**

This is in response to the Office Action dated June 21, 2005 (Paper No. 20050614) in the above-identified patent application. This response is being timely filed by September 21, 2005.

Claims 1 and 4 are presently pending in the application.

At the outset, Applicants vehemently object to this further Office Action by the Examiner. It is noted that this is the SIXTH Action on the merits in this application. In fact, U.S. Patent 6,660,419 of Nishida et al., on which the Examiner bases both of the rejections in the present Office Action, was actually cited by the Examiner in the third Office Action dated May 14, 2004. In that Office Action, the Examiner used Nishida et al. in a rejection under the doctrine of obviousness-type double patenting, and Applicants filed a Terminal Disclaimer thereover in response to the rejection. If the Examiner really considered Nishida et al. to be prior art for some other basis than obviousness-type double patenting, such a rejection could and should have been made in that Office Action. Therefore, the Examiner's present Action is a clear violation of the Patent Office principal of compact prosecution. The Examiner has put Applicants to a great deal of additional expense in responding to these multiple Office Actions.